AGENDA

Regular Meeting of the Sawmills Town Council Sawmills Town Hall

Tuesday, July 22, 2014 6:00 pm

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1.	Call To Order	Mayor Bob Gibbs
2.	Invocation	Pastor Rick Crouse
3.	Pledge of Allegiance	Mayor Bob Gibbs
4.	Adopt Agenda	Mayor Bob Gibbs
5.	Approve Meeting Minutes A. June 17 th Regular Meeting Minutes	Mayor Bob Gibbs
6.	Public Comment	Mayor Bob Gibbs
7.	Recognitions: A. Recycle Rewards Winner B. Yard of Month Winners	Administrator Seth Eckard Mayor Bob Gibbs
8.	Discussion: A. Adopt Storm Water Discharge Agreement with City of Lenoir B. Adopt Second Amendment to Town of Sawmills Licensing Agreement C. Adopt Town of Sawmills Private Street Acceptance Procedures D. Adopt First Amendment to Farmer's Market Licensing Agreement	Mayor Bob Gibbs Mayor Bob Gibbs Mayor Bob Gibbs Mayor Bob Gibbs
9.	Financial Matters: A. Request for a Donation to Sawmills Farmers Market B. Request for a Donation to Terry Cannon for Sawmills Optimist Baseball Team C. Disposal of Unscheduled Records D. Informal Bid for Veterans Park Bathrooms	Administrator Seth Eckard Administrator Seth Eckard Administrator Seth Eckard Administrator Seth Eckard
10.	Planning Matters: A. Re-Appoint Planning Board Members B. Call for a Public Hearing for a Rezoning on Hickory Nut Ridge Road C. Call for a Public Hearing for a Rezoning on Highway 321 D. Replacement Mobile Home Proposal	Planner Elinor Hiltz Planner Elinor Hiltz Planner Elinor Hiltz Planner Elinor Hiltz
11.	Public Comment	
12.	Updates: A. Community Development Block Grant Monthly Status Report and Update B. Community Development Block Grant Monthly Sewer Project Status Report C. Code Enforcement Monthly Report D. Administrators Report E. Council Comment	Administrator Seth Eckard Administrator Seth Eckard Administrator Seth Eckard Administrator Seth Eckard Mayor Bob Gibbs
13.	Closed Session: Attorney Client Privilege	Mayor Bob Gibbs
14.	Adjourn	Mayor Bob Gibbs

TUESDAY, JUNE 17, 2014 TOWN OF SAWMILLS REGULAR COUNCIL MEETING 6:00 PM

COUNCIL PRESENT

Bob Gibbs
Joe Wesson
Gerelene Blevins
Jeff Wilson
Trena McRary Kirby
Johnny Wilson

STAFF PRESENT

Seth Eckard Julie Good Terry Taylor Elinor Hiltz

CALL TO ORDER: Mayor Bob Gibbs called the meeting to order.

INVOCATION: Mayor Bob Gibbs gave the invocation.

PLEDGE OF ALLEGIANCE: Mayor Bob Gibbs led the Pledge of Allegiance.

ADOPT AGENDA: Mayor Bob Gibbs asked for a motion to adopt the agenda with the following changes: add Adopt Resolution in Support of Location of a Renewal Fuels Company in the Town of Sawmills as agenda item 7D.

Joe Wesson made a motion, and Gerelene Blevins seconded, to adopt the agenda with changes. All were in favor.

APPROVE May 20, 2014 REGULAR MEETING MINUTES: Mayor Bob Gibbs asked for a motion to approve the May 20, 2014 regular meeting minutes.

Gerelene Blevins made a motion, and Joe Wesson seconded, to approve the minutes. All were in favor.

PUBLIC COMMENT: Mayor Bob Gibbs asked if anyone had any questions or comments at this time.

Resident Jeff Branch spoke against the Livestock Text Amendment Proposal.

RECOGNITIONS:

RECYCLE REWARDS WINNER: Town Administrator Seth Eckard announced Mr. and Mrs. Ronnie and Karen Randle as the June Recycle Rewards winner. A credit of twenty-eight dollars (\$28.00) will be added to Mr. and Mrs. Randle's sanitation bill and their certificate will be available at the Town Hall for pick up.

No Council action was required.

YARD OF THE MONTH WINNERS: Mayor Bob Gibbs announced Keith and Ginger Childers and family, from the 28630 zip code, and Kenneth Clontz, from the 28638 zip code, as the June Yard of the Month winners. Mayor Bob Gibbs stated that both certificates would be available at the Town Hall for pick up.

No Council action was required.

PRESENTATION FROM SAWMILLS ELEMENTARY SCHOOL PTO: Sawmills Elementary School Principal Lowell Rogers and student Dylan Fritz presented Council with a thank you card signed by Sawmills Elementary School students to thank Council for their donation to the school.

No Council action was required.

ADOPT A RESOLUTION IN SUPPORT OF LOCATION OF A RENEWAL FUELS COMPANY IN THE TOWN OF SAWMILLS: Town Administrator Seth Eckard asked Council to adopt a Resolution in support for a location of a renewal fuels company in the Town of Sawmills.

Joe Wesson made a motion, and Gerelene Blevins seconded, to adopt the Resolution. All were in favor.

PUBLIC HEARING: ADOPT PROPOSED FY 2014-2015 BUDGET:

OPEN PUBLIC HEARING: Mayor Bob Gibbs asked for a motion to open the public hearing.

Joe Wesson made a motion, Jeff Wilson seconded, to open the public hearing. All were in favor.

STAFF COMMENTS/RECOMMENDATIONS: Town Administrator Seth Eckard stated the proposed FY 2014-2015 budget was enclosed and staff had no additional comments at this time.

PUBLIC COMMENT: Mayor Bob Gibbs asked if anyone wished to speak on the proposed FY 2014-2015 budget.

No one wished to speak.

CLOSE PUBLIC HEARING: Mayor Bob Gibbs asked for a motion to close the public hearing.

Johnny Wilson made a motion, and Jeff Wilson seconded, to close the public hearing. All were in favor.

COUNCIL ACTION: Joe Wesson made a motion, and Gerelene Blevins seconded, to adopt the proposed FY 2014-2015 budget. All were in favor.

PUBLIC HEARING: ADOPT PROPOSED TEXT AMENDMENTS TO SECTIONS 153.075, 153.146 AND 153.147 OF THE CODE OF ORDINANCES

OPEN PUBLIC HEARING: Mayor Bob Gibbs asked for a motion to open the public hearing.

Jeff Wilson made a motion, and Gerelene Blevins seconded, to open the public hearing. All were in favor.

STAFF COMMENTS/RECOMMENDATIONS: Planner Elinor Hiltz stated that under the current zoning ordinance, Sawmills requires every mobile home to be inspected before an applicant can get a zoning permit. Mobile homes older then July 1994 are not permitted. Under the new proposal, any mobile home that is already in Sawmills' jurisdiction is permitted as long as it passes the structural inspection.

Planner Elinor Hiltz also stated that the Town has been using a mobile home checklist; however, the checklist has never been adopted into the Town's Code of Ordinances. Planner Elinor Hiltz stated that if the Town continues to use the mobile home checklist, that it needed to be placed in the Town's Code of Ordinances.

PUBLIC COMMENT: Mayor Bob Gibbs asked if anyone wished to speak on the proposed Text Amendments to Sections 153.075, 153.146 and 153.147 of the Code of Ordinances.

No one wished to speak.

CLOSE PUBLIC HEARING: Mayor Bob Gibbs asked for a motion to close the public hearing.

Gerelene Blevins made a motion, and Joe Wesson seconded, to close the public hearing. All were in favor.

COUNCIL ACTION: Joe Wesson made a motion, and Gerelene Blevins seconded, to table this matter until July Council Meeting. All were in favor.

PUBLIC HEARING: ADOPT PROPOSED TEXT AMENDMENTS TO SECTIONS 153.074 AND 153.081 OF THE CODE OF ORDINANCES

OPEN PUBLIC HEARING: Mayor Bob Gibbs asked for a motion to open the public hearing.

Jeff Wilson made a motion, and Joe Wesson seconded, to open public hearing. All were in favor.

STAFF COMMENTS/RECOMMENDATIONS: Planner Elinor Hiltz stated that currently the Code of Ordinances does not allow non-farmers to keep livestock on their property within the Town's limits. If the Code of Ordinances is amended to allow more livestock, the Town will be more agricultural. The Town should create regulations so that non farming residents can legally have livestock within the Town limits. Some points of discussion about the text amendment proposal are:

- Fowl regulations stay the same with the exception that commercial poultry farms are not allowed in the Town limits. Fowl may run at large in the ETJ.
- The proposal lowers the horse regulations that the Town already has from 1 horse per three acres to 1 horse per acre.
- Swine would not be allowed in the Town limits, with the exception of a pet pot belly pig.
- Properties in the ETJ and all properties over 10 acres would have no restrictions with regards to livestock and swine.
- Livestock must be contained; pens must be 100 feet away from houses, or other structures; livestock are permitted at 2 animals (in any combination) per ½ acre.

PUBLIC COMMENT: Mayor Bob Gibbs asked if anyone wished to speak on the proposed Text Amendments to Sections 153.074 and 153.081 of the Code of Ordinances.

No one wished to speak.

CLOSE PUBLIC HEARING: Mayor Bob Gibbs asked for a motion to close public hearing.

Trena McRary Kirby made motion, Johnny Wilson seconded, to close public hearing. All were in favor.

COUNCIL ACTION: Trena McRary Kirby made a motion, and Johnny Wilson seconded, to table this matter until August Council Meeting with staff doing research on different types of animals and state guidelines recommended for acreage as well as looking at the density of the acreage. All were in favor.

Joe Wesson stated that he is in favor of letting residents have any type of animal that they want on their property as long as it is not a nuisance to other residents around them.

PLANNING MATTERS:

RECOMMENDATIONS FOR PLANNING BOARD MEMBER: Town Planner Elinor Hiltz stated a position on the Planning Board expires in June 2014. Town Planner Elinor Hiltz advised Council that Clyde Miller is willing to serve another term. Clyde Miller would be representing the ETJ.

Joe Wesson made a motion, and Gerelene Blevins seconded to approve staff's recommendations to re-appoint the Clyde Miller for another term. All were in favor.

FINANCIAL MATTERS:

APPROVE PROPOSED CONTRACT RENEWAL WITH WESTERN PIEDMONT COUNCIL OF GOVERNMENTS: Town Administrator Seth Eckard stated that the current contract with the Western Piedmont Council of Governments (WPCOG) for planning and code enforcement assistance needs to be renewed. The renewal contract will cover the period of July 1, 2014 to June 30, 2015.

Trena McRary Kirby made a motion, and Joe Wesson seconded, to approve a renewal contract with the WPCOG in the amount of \$20,500.00 (twenty-thousand five hundred dollars) for planning and code enforcement services. All were in favor.

APPROVE PROPOSED ESTIMATE FOR SEPTIC TANK SYSTEM AT VETERANS PARK: Administrator Seth Eckard stated that the Town recently received a proposal for the septic tank system at Veterans Park from Water Management.

Johnny Wilson made a motion, and Trena McRary Kirby seconded, to approve Water Management put in the septic tank system at Veterans Park in the amount of \$14,300.00 (fourteen thousand three hundred dollars). All were in favor.

REQUEST FOR A DONATION TO CALDWELL COUNTY DARE PROGRAM: Mayor Bob Gibbs stated that the Caldwell County Dare Program has requested a donation in the amount of \$100.00 (one hundred dollars).

Gerelene Blevins made a motion, Trena McRary Kirby seconded, to give a donation in the amount of \$100.00 (one hundred dollars) to the Caldwell County Dare Program. All were in favor.

PUBLIC COMMENT: Mayor Gibbs asked if anyone had any questions or comments at this time.

No one wished to speak.

UPDATES:

COMMUNITY DEVELOPMENT BLOCK GRANT MONTHLY STATUS REPORT AND UPDATE: Administrator Eckard stated Sherry Long, Community Development Director with the Western Piedmont Council of Governments has enclosed an update and the monthly status report for the Community Development Block Grant (CDBG) which shows that all requirements are on schedule for the Haystation, LLC.

No Council action was required.

COMMUNITY DEVELOPMENT BLOCK GRANT SEWER PROJECT MONTHLY UPDATE: Administrator Eckard stated Lisa Helton, Project Administrator with the Western Piedmont Council of Governments has enclosed an update on the Community Development Block Grant Sewer Project showing how some of the funds have been spent as of June 9, 2014.

No Council action was required.

CODE ENFORCEMENT MONTHLY REPORT: Administrator Seth Eckard stated the Town Planner Elinor Hiltz has enclosed an updated status report of Code Enforcement cases and the progress that has been made on each case as of June 2014.

No Council action was required.

ADMINISTRATORS REPORT: Administrator Seth Eckard made the following announcements:

- The deadline to summit names for the Veterans Memorial Monument is June 30, 2014.
- Sawmills Farmers Market is open every Tuesday from 3:00 pm to 7:00 pm. Tuesday June 17, 2014 and Tuesday June 24, 2014 the Farmers Market will be opening at 12:00 pm with special activities for the children in the area.
- The July Council meeting will be moved from July 15, 2014 to July 22, 2014 due to the primary run-off being held in Council Chambers on July 15, 2014.
- Newsletters went out July 16, 2014. Included in the newsletters were updates on the budget, the Town's welfare check program, the new CodeRed system and the yearly water and sewer report from the State. This will be the last quarterly newsletter. The Town will send one newsletter out a year with the required yearly water and sewer report from the State.
- Town Hall and Public Works will be closed on Friday, July 4, 2014, for Independence Day.

- There will be a change in the Town's Recycle Program beginning July 1, 2014. The last weekly pickup for recycling will be Monday June 23, 2014 and Tuesday June 24, 2014. Beginning on Wednesday June 25, 2014 Republic Services will begin distributing 96 gallon blue recycle cans with Republic Services on the side. The routes will be on Thursdays. The first route will be on Thursday July 3, 2014 and continue every other week. The second route will be on Thursday July 10, 2014 and continue every other week. There will be an information packet in the new recycle container with a updated list of recyclables, a personal flyer with the dates of the recycle pick up highlighted in red for the rest of the year and a yellow flyer with all the recycle information listed.
- The Town has partnered with Sawmills Fire and Rescue with a new welfare check program. Daytime fire fighters will call and check on elderly and sick residents. Anyone with a name to add to the list can call the Town Hall. The Mayor has already made some telephone calls and the residents were happy to hear from someone.
- July 1, 2014 the Town will start the new CodeRed system. This will take the place of the quarterly newsletters. All residents with landline telephone numbers in their account with receive a telephone call with Town updates, weather warnings and all other important information. If any resident would like to add a cell phone number, email address or another landline can call and speak with Finance Officer Karen Clontz or go to the Town's website.

COUNCIL COMMENT: Mayor Bob Gibbs asked if anyone on the Council had any questions or comments at this time.

Joe Wesson wanted to commend Gerelene Blevins on the idea of the welfare check program.

ADJOURN: Mayor Bob Gibbs asked for a motion to adjourn.

Jeff Wilson made a motion, and Trena McRary Kirby seconded, to adjourn the meeting. All were in favor.

Julie A Good, Town Clerk	Bob Gibbs, Mayor

AGENDA ITEM 7A

MEMO

DATE:

July 22, 2014

SUBJECT:

Recognition: Recycle Rewards Program

Discussion:

The Town of Sawmills would like to congratulate Diane McNeil on winning the Recycle Rewards Program for the month of July. Town Administrator Seth Eckard will present Ms. McNeil with a Certificate of Appreciation. A twenty-eight dollar (\$28.00) credit will be added to the current sanitation bill.

Recommendation:

No Council action is required.

AGENDA	ITEM	7B
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MEMO

DATE:

July 22, 2014

SUBJECT:

Recognition: Yard of the Month Winners

Discussion:

Fred and Donnie Inman, from the 28630 zip code, and Wayne and Anita Prestwood, from the 28638 zip code, are the Yard of the Month winners for July. Mayor Bob Gibbs will present them with a Certificate of Appreciation.

Recommendation:

No Council action required.

AGENDA ITEM 8A

MEMO

DATE:

July 22, 2014

SUBJECT:

Discussion: Adopt Storm Water Discharge Program Agreement with City of Lenoir

Discussion:

The current agreement between the City of Lenoir and the Town of Sawmills expired on June 30, 2014. The enclosed Storm Water Discharge Agreement between the City of Lenoir and the Town of Sawmills will be effective July 1, 2014 and expire June 30, 2015. The cost the Town will pay the City of Lenoir to continue responsibility of the plan is in the amount of \$13,104.93. The City of Lenoir will also be entitled to receive all revenues from fines and penalties which accrue.

There are sufficient funds in the budget for this purpose.

Recommendation:

Staff recommends Council to approve the Storm Water Discharge Program Agreement in the amount of \$13,104.93 and covering the period of July 1, 2014 to June 30, 2015.

STATE OF NORTH CAROLINA

period of this Agreement.

CALDWELL COUNTY	STORM WATER DISCHA	RGE PROGRAM AGREE	MENT
This Agreement is entered between the Town of Sawmills, I Corporation ("the City").	ed into on this theNorth Carolina ("the Town")	day ofand the City of Lenoir, a N.C.	, 2014, by and municipal
WHEREAS, on or about NCS000474 to Discharge Storm ("NPDES") by the State of North of Water Quality (the "Permit"), their municipal separate storm selocated within the Catawba Rive	n Carolina Department of Environment	lutant Discharge Elimination ironment and Natural Resournce, in order to discharge stort the creeks and unnamed trib	System ces Division m water from
WHEREAS, Caldwell C referred to in Part I of the Permit Agreement, the County and the C the Plan pursuant to the terms of agreements between the Town ar	City agreed that the City assurt said agreement, and pursuant	09, Storm Water Discharge Properties of the implementation respo	rogram nsibilities for
WHEREAS, under the te implementation of the Plan shall	erms of said agreements the C cease effective June 30, 2013		nd provide
WHEREAS, the Town as by the City for the Town for and provided in this Agreement.	nd the City desire and intendincluding the period from Jul		
THEREFORE, the Coun described herein, do agree as foll	ty and the City, for and in corows:	nsideration of the valuable con	nsiderations
1. EFFECTIVE DATES. Effect 30, 2015, the City shall assume the Town located within the mun matters and files that are then cur	responsibility for implementicipal boundaries of the Town	tation of the Plan with respec	t to areas of
2. For such implementation respect the amount of \$_13,104.93	on or before Septem and agreed to between the To the Town's current population was in Caldwell County which the City to determined propo	own and the City pursuant to a son and area relative to the proph has entered into storm water tionate shares of the total propertion.	and portionate r plan
3. The City shall additionally be accrue or may be obtained receiv			

This Agreement is executed in duplicate originals, o parties hereto.	one of which is to be retained by each of the
	TOWN OF SAWMILLS
	By:Town Manager
ATTEST:	
Clerk to the Town Council	
(County Seal)	
	CITY OF LENOIR
	By:City Manager
ATTEST:	

4. This Agreement may be modified in writing by mutual agreement of the parties.

Clerk to the City Council

(City Seal)

AGENDA ITEM 8B

MEMO

DATE:

July 22, 2014

SUBJECT:

Discussion:
Adopt Second
Amendment To
Town of Sawmills
Licensing Agreement

Discussion:

The current agreement between the Town of Sawmills and the Sawmills Community Optimist Club, Inc., for the rights of the non-exclusive use of the baseball fields and concession stand at times and according to the schedule as mutually agreed upon by the Town of Sawmills and the Sawmills Community Optimist Club, Inc., was amended and continued until June 30, 2014. The Town of Sawmills and the Sawmills Community Optimist Club, Inc. wish to amend the current agreement to extend the agreement from July 1, 2014 through June 30, 2015.

Recommendation:

SECOND AMENDMENT TO TOWN OF SAWMILLS LICENSING AGREEMENT

CALDWELL COUNTY

THAT WHEREAS, the TOWN OF SAWMILLS, a municipal corporation ("Town") and SAWMILLS COMMUNITY OPTIMIST CLUB, INC., a North Carolina nonprofit corporation ("Licensee") did enter into a License Agreement ("License") according to that Park License Agreement originally dated April 4, 2011 and amended on August 16, 2011.

THAT WHEREAS, the License Agreement was to exist for a period of one (1) year.

THAT WHEREAS, the License Agreement was amended and continued until the 30th day of June, 2014.

THAT WHEREAS, the parties do desire now to enter into a written Amendment to extend from the 1st of July, 2014 to the 30th of June, 2015.

NOW, THEREFORE, the parties do hereby agree to this Amendment to License Agreement under the terms and conditions as follows:

- 1. The term of this Agreement shall exist from the 1st of July, 2014 until the 30th of June, 2015.
- 2. Either party may terminate this Agreement at any time by thirty (30) days advance written notice.
- 3. The grant of this License is exclusive to the Sawmills Community Optimist Club, Inc. and may not be assigned without the written consent of the Town of Sawmills.
- 4. This License continues to grant the Optimist Club the rights for a non-exclusive use of the baseball fields and concession stand at times and according to the schedule as mutually agreed upon. The specific times of use, description of programs and then thereafter any scheduling changes of programs must be submitted by the Optimist Club to the Town Administrator and approved prior to actual use.
- 5. Concurrently with the granting of this License, the Licensee shall forward to the Town Administrator a copy of the current Liability Insurance Policy providing coverage for personal injuries to each person and coverage for all personal injuries in each accident and coverage in such amounts as approved by the Town Administrator. Said Policy shall name the Town, it's Council Members and it's Employees as Additional Insureds.

All the remaining terms and conditions of the original Park License Agreement and Amendment thereto are incorporated herein unless otherwise modified by these terms.

This the day of	, 2014.
	SAWMILLS COMMUNITY OPTIMIST CLUB, INC.
	By: Name: Title:
	TOWN OF SAWMILLS
ATTEST: Town Clerk	By: Mayor
APPROVED AS TO FORM:	-
Terry M. Taylor. Town Attorney	

AGENDA ITEM 8C

MEMO

DATE:

July 22, 2014

SUBJECT:

Discussion: Adopt Town of Sawmills Private Street Acceptance Procedures

Discussion:

Currently the Town has a few private streets, either unpaved, or do not meet minimum standards. For the Town of Sawmills to take over a private street, the street must be in the Town limits and not a State maintained highway. A signed agreement must be submitted with 100% of the adjacent property owners signatures. The property owners will be responsible for 50% of the construction bid amount to bring the street up to the Town's minimum standards.

Recommendation:

TOWN OF SAWMILLS PRIVATE STREET ACCEPTANCE PROCEDURES

Like most municipalities, the town of Sawmills still has a few remaining private, unimproved roads. These are roads that, at the time of development, were not constructed to the minimum State Standards by the neighborhood developer. It is safe to say that most people in the twenty-first century prefer to live on a paved road instead of a gravel road. No matter the type of road you live on, if it is a Town of Sawmills roadway, the Town will maintain it. If you are interested in routine road maintenance and repairs, please call 828-396-7903. If you are interested in converting your existing private road to a paved road maintained by the Town, the following explains the process.

The Process

Any road eligible to fall under this procedure must be within the Town of Sawmills and not a State maintained roadway. Any property owner on the street can begin the process. The first step is that a petition must be acquired from the Town of Sawmills to determine the interest of the property owners on the road in converting the road from a private to Town maintained. Once the petition is received a tax map is provided along with the petition to assist you with this process. To be eligible for formal consideration by the Town Council, the petition must be returned to the Town of Sawmills with the signatures of 100% of the property owners along both sides of the section of road under consideration and those property owners signing the petition must own all of the street frontage along the section of road. If the proper signatures are acquired on the petition, it should be returned to the Town Clerk who will examine the petition for validity. If the petition meets all Town requirements it will be presented to the Town Administrator to place on the next Street Committee agenda to consider the request. After approval by the Street Committee the petition will be submitted to the Town Surveyor for the appropriate Right-of-Way Map to be prepared with street width located, meeting all Town Codes and Ordinances. Finally, then the Town Attorney will prepare all necessary easements from the completed map or survey.

The Cost

After all necessary easements have been signed and returned to the Town Administrator, then the Town Administrator in coordination with the Town Engineer will solicit bids for the improvements necessary for the Town to accept this Street as a Town Street within the Town of Sawmills jurisdiction. The property owners must then deposit with the Town fifty (50%) percent of the cost to be applied to project expenses. The Town Administrator will then place the project on the list of streets to be improved/accepted for maintenance, and Town Council will approve projects for acceptance and award the contract for improvements as funds are available.

TOWN OF SAWMILLS

STREETS AND SIDEWALKS

GENERAL PROVISIONS

§93.01 TOWN COUNCIL APPROVAL OF NEW STREETS

Before any new street offered for dedication to the Town is accepted as such, and officially recognized as a Town-maintained street, the Town Council must give its approval, finding that the street complies with each of the requirements listed below.

- A. The street must be free of charge and clear of all encumbrances.
- B. The street must be a part of an existing minimum 35-foot recorded right-of-way. Otherwise, a registered survey and legal description must be prepared prior to consideration of a dedication.

Sawmills - General Regulations

- C. A signed agreement of the dedication must be submitted by 100% of the adjacent property owners. The property owners need to understand at the time of submitting the petition, that they will be responsible for fifty (50%) percent of the construction bid amount to bring the road up to the Town's minimum standards. The signed petitions for all new streets offered for dedication to the Town must be submitted to the Town Clerk.
- D. The Town will pave and improve roads as funds are available each year. The Town Council Street Committee, Public Works Superintendent and Town Engineer will rank each street eligible to be paved according to the density in which the streets are developed and the physical shape the streets are in. The actual improvements scheduled will be approved by the Town Council and periodically revised. If necessary, the paving schedule may be spread over two or more years to accommodate the Town's budget.
- E. All utilities requiring removal, relocation or adjustments shall be made at no expense to the Town. Any existing utilities may remain upon approval by the Town prior to dedication.

- F. At least 20% of the number of lots bordering the street must be individually owned.
- G. Any street less than two-tenths of one mile (1,056 feet) must serve at least four owner-occupied residences (otherwise it will be considered a private driveway). Additionally, there must be one owner-occupied residence for each one-tenth of one mile (528 feet) thereafter.
- H. All streets and right-of-way offered to the Town must meet the current minimum standards set forth by the Town Ordinances and approved by the Town Engineer.
- I. The Town reserves the right to allow deviations from the design criteria listed herein. The deviations allowed will be reasonable and limited only by safety and maintenance factors and must be recommended by the Public Works Superintendent and Town Engineer.
- J. Any street that extends from an existing state or Town-maintained street must meet the right-of-way standards of the existing street.
- K. The following definitions shall be used to determine the appropriate design and construction standards. These determinations will be made by the Town Council Street Committee and the Public Works Superintendent. Any determination by the Street Committee and/or the Public Works Superintendent concerning the dedication of private streets to the Town may be appealed to the Town Council.
 - (1) **LOCAL RESIDENTIAL STREETS.** Streets that do not connect thoroughfares or serve major traffic generators. These streets may serve as connectors between existing **LOCAL RESIDENTIAL STREETS**.
 - (2) MI NOR RESIDENTIAL SUBDIVISION STREETS. Dead-end, cul-de-sac and loop streets less than one-tenth of a mile (1,056 feet) in length that do not connect to more than one local residential street.
 - (3) **PRIVATE DRIVEWAY.** Streets which serve less than four permanent residences regardless of length. These streets will not be eligible for acceptance into the Town system.
 - (4) **RESIDENTIAL COLLECTOR STREETS.** Streets which serve as the connecting street between local residential streets and thoroughfare streets.
- All streets created in family subdivision even if dedicated to the public are not eligible for acceptance into the town system until they are brought up to Town standards.
 (1991 Code, §40.01) (Ord. Passed 1-22-1991; Ord. 11-92-5, passed -1992;
 Ord. Passed 12-15-1998)

AGENDA ITEM 8D

MEMO

DATE:

July 22, 2014

SUBJECT:

Discussion: Adopt First Amendment To Farmer's Market Licensing Agreement

Discussion:

The current agreement between the Town of Sawmills and the Sawmills Farmer's Market Association, Inc. expired on June 30, 2014. The Town of Sawmills and the Sawmills Farmer's Market Association, Inc. wish to amend the current agreement to extend the agreement from July 1, 2014 through June 30, 2015.

Recommendation:

FIRST AMENDMENT TO FARMER'S MARKET LICENSE AGREEMENT

COUNTY OF CALDWELL

THAT WHEREAS, the Town of Sawmills, a municipal corporation ("Town") and Sawmills Farmer's Market Association, Inc., a North Carolina non-profit corporation ("Licensee" or "Association") did here by enter into a License Agreement in June of 2013 for a period of twelve (12) months.

THAT WHEREAS, the Town and the Association do desire to enter into an Amendment to the License Agreement to extend the term from twelve (12) months beginning on the first day of July 2014 and ending on the 30th day of June, 2015.

WITNESSETH:

NOW, THEREFORE, the Town of Sawmills, a municipal corporation for Caldwell County does hereby grant unto Sawmills Farmer's Market Association, Inc. a License Agreement to run a Farmer's Market one (1) day a week at the property previously described in the original License Agreement and does hereby agree to allow the weekly market at the property to continue according to the terms and conditions set forth below.

- 1. The License shall now exist for a period of twelve (12) months beginning on the first day of July, 2014 and ending on the 30th day of June, 2015. This Agreement can be renewed for an additional season upon confirmation of the next year's dates of operation to be presented to the Sawmills Town Council for approval in Spring of each year.
- 2. This grant of License is exclusive to the Sawmills Farmer's Market Association, Inc. and may not be assigned.
- 3. All the originals terms and conditions set forth in the original Farmer's Market License Agreement are hereby affirmed and incorporated herein by reference as if more particularly set forth verbatim.

This the day of	, 2014.
	TOWN OF SAWMILLS
	Ву:
ATTEST: Clerk	Mayor
	SAWMILLS FARMER'S MARKET ASSOCIATION, INC.
	By: Name: Title: President

AGENDA ITEM 9A

MEMO

DATE:

July 22, 2014

SUBJECT:

Financial Matters: Request for a Donation To Sawmills Farmers Market

Discussion:

The Town has received a request from the Sawmills Farmers Market for a donation in the amount of \$1,000.00 (one thousand dollars).

There are sufficient funds in the budget for this request.

Recommendation:

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Name of Organization: Sawmills Farmers Market Phone: 828-476-8462
Permanent Address:
City: Sawmills State: NC Zip Code: Z87030
Contact Name: Olivin Ford / Britary Crump Dobbins
Amount Requested: \OOO \ Amount Needed for the Project:
Date Funds Needed: 7/1 Date Project Begins: 5/6 Completion Date: 10/28
Complete Description of Project: Farmers market manager is nucled to help aganize the market and begin Without responsibilities are those working. How will the funds be used? Paying Market manager
The second se
How will this project benefit the community? Allow For FM to increase
and socially
Official Town Use Only
Date application received 16-24-14 Date presented to Town Council 7-82-14
Date Approved Denied Amount Approved
Available Balance in Governing Body Donations Expense Acct:
Date Check Written Check No Amount

AGENDA ITEM 9B

MEMO

DATE:

July 22, 2014

SUBJECT:

Financial Matters: Request for a Donation To Sawmills Optimist Baseball

Discussion:

The Town has received a request from Terry Cannon, representing the Sawmills Optimist Baseball Team, for a donation in the amount of \$100.00 (one hundred dollars).

There are sufficient funds in the budget for this request.

Recommendation:

Funding Request
Name of Organization: Saunuls Optimut Phone: 828-381-480
And the second s
Permanent Address: 2192 Atlas Duve
City: Gravite Falls State: NC Zip Code: 28630
Contact Name: Terry Cannon
து நடித்த நட
Amount Requested: # 100.00 Amount Needed for the Project:
Date Funds Needed: 7/17/14 Date Project Begins: 7/3/14 Completion Date:
Complete Description of Project: Gote Fee 15 \$ 250
to help pay part of this fee.
How will the funds be used? Help Hop pay Gate Fee us
\$250.00
How will this project benefit the community? Help recouse our community
Help recouse our communts in the state 140 baseball tournament
Official Town Use Only
Date application received Date presented to Town Council
Date Approved Denied Amount Approved
Available Balance in Governing Body Donations Expense Acct:
Date Check Written Check No Amount

AGENDA ITEM 9C

MEMO

DATE:

July 22, 2014

SUBJECT:

Financial Matters:
Disposal of
Unscheduled Records

Discussion:

The attached list shows all records that staff would like to destroy in accordance with the North Carolina General Statutes Municipal Records and Disposition Schedule.

Recommendation:

North Carolina Department of Cultural Resources Division of Archives and Records Government Records Branch

REQUEST FOR DISPOSAL OF UNSCHEDULED RECORDS

Assistant Records Administrator

TO

FROM Name	own of Saw adwell Partment Halmin	istration				
In accordance with the provi records have no further use				uction of reco	rds listed below.	These
RECORDS TITLE	Description		INCLUSIVE DATES	QUANTITY	MICROFILMED? (YES OR NO)	RETENTION PERIOD
tish & water Receipts & Bills	Paceists & was	ter bill	July, Aug, Sept Oct	10079 Ofeach	No	3485
AIR			Not. Dec			1
lash 1 Woder Bulls	Rocipts of Wo Coulds.	Her Bill	Jan. FeU. March, April	of each	NO	Byrs
AIR			3011			4
Control Reports	Transaction Co. From Cash 1	Receipts	2010-2012	1009 %	No	145
AIR - wrote off Act	accounts that been written	0ff	3006-3010	loopy	NO	3yrs
7/A- Vocant Billing	Billing Leport	Counts	July - June 2010 - 2011	10074	NO	Tys
IR - Late Fee Report	accounts Bill	25	3010-2011	10ops	No	1y.
AIR-Pre-Billing	Billing Report Bills are pri	inted	3010-2011	1 copey	No	ly.
AIR - DISCORNECT List	disconnected	for month	2010-2011	rapy	NO	3yes.
AR - Moter Roading	reports that str wage on each	in account	July-June 2010-2011	laopy	No	345
AJR- Pall LOSS	Report that accounts on the	shows a call list	,	10024	NO	lue.
Requested by: Signature	Juitte	Title	Navage	Da	6-20	-14
Approved by: Signature		Head of Governin	g Board		te	
Concurred by: (as indicated) Signature		Assistant Records	Administrator		te	

NC Division of Archives and Records

North Carolina Department of Cultural Resources Division of Archives and Records Government Records Branch

REQUEST FOR DISPOSAL OF UNSCHEDULED RECORDS

TO

Assistant Records Administrator

	7699-4615	i i			
County Agency or dep Phone numbe	Coldwell partment Administration				
	isions of G.S. 121 and 132, approval is requor value for official or administrative purp		uction of recor	ds listed below.	These
RECORDS TITLE	DESCRIPTION	INCLUSIVE DATES	QUANTITY	MICROFILMED? (YES OR NO)	RETENTION PERIOD
Admin Project	Housing Rehab Project	1993, 1994 1995	1 rogus	NO	Syrs,
Holmin - Sewer Proj.	abbo-sera Project	1992-2002	OD = -	NO	3yrs.
Admin - Black Grant	CDBG- Block Grant Hope	121	of each	No	Sys.
AP- DA's Audit	HIP records + reports	2005-2009	of each	NO	3gus
Firance Fires Fires	Po's for purchases in aid tors toxes	Jely-June 2005:2009	व्हे हण्टम । ट्यू	NO	3yus.
- Audit Files Finance	Bank Statements For auditors Pank reas, and all	302-3009 514-June	of each	NO	3yrs.
- Audit Files	paper work on auditor General reger entries		100749 10074	NO	341s.
ib- Audit Files	Adjustments for account	2005-2009	of each	$\frac{\mathcal{N}O}{\mathcal{N}O}$	3yls
Hud + riles	3	2015-2009	of each	MO	345
Requested by: Signature	would office,	Manager		<i>6-97,</i> €	1-14
Approved by: Signature	Head of Govern	ing Board	Dat	e	
Concurred by: (as indicated) Signature	Assistant Recor	ds Administrator		e	

NC Division of Archives and Records

MEMO

DATE:

July 22, 2014

SUBJECT:

Financial Matters: Informal Bid for Bathrooms At Veterans Park

Discussion:

Included in this year's budget are funds for bathrooms at Veterans Park.

This item is being purchased under the informal bid process.

Town Administrator Seth Eckard has received a quote from CXT, Inc., an L.B. Foster Company, for the Cortex Flush Building in the amount of \$47,725.66 (forty-seven thousand, seven hundred twenty-five dollars and sixty-six cents).

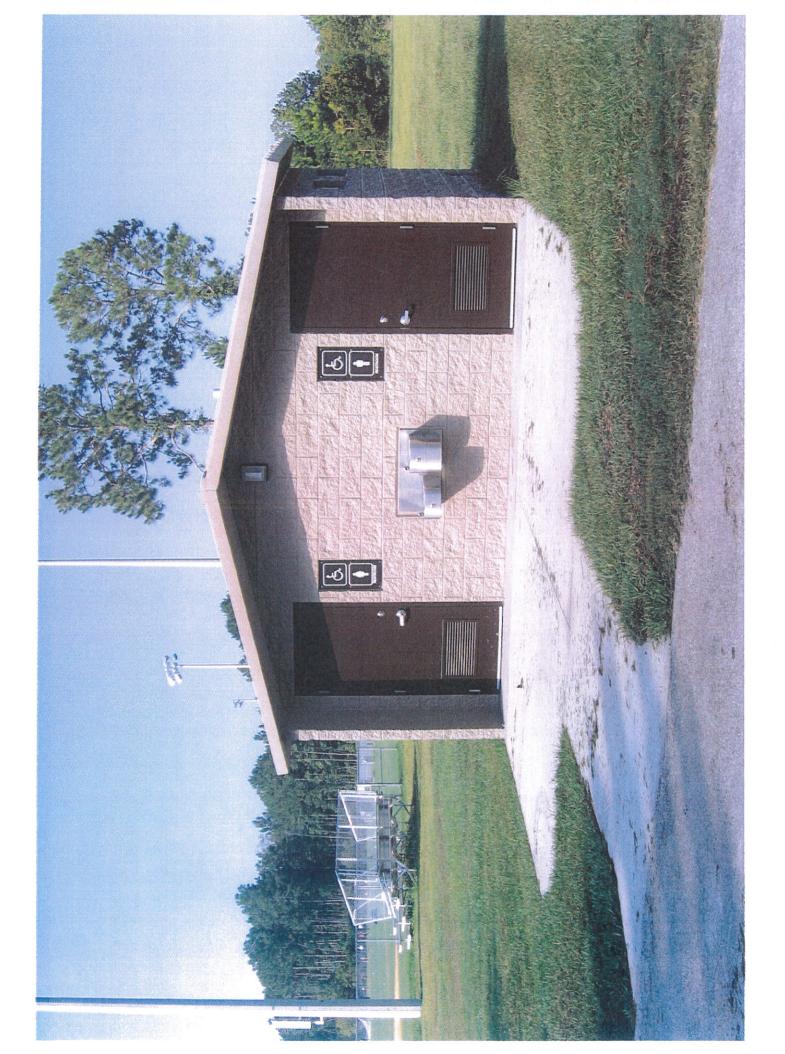
The Cortex Flush Building is described as:

Cortex double flush toilet with standard simulated cedar shake or rib metal (Blue) roof and split face block (Grey) wall texture, three 16-gauge galvanized steel doors and frames, vitreous china plumbing fixtures (2-lavatories, 2-water closets), soap dispensers, hand dryers, two 3-roll toilet paper holders, two exhaust fans, three GFI outlets, three floor drains, two s/s mirrors, ADA grab bars, ADA signs, three hose bib (one each room with lock box, one in chase), and ADA frost free drinking fountain.

There are sufficient funds in the budget for the current fiscal year.

Recommendation:

Staff recommends Council to approve the purchase of the Cortex Flush Building in the amount of \$47,725.66 (forty-seven thousand, seven hundred twenty-five dollars and sixty-six cents).



AGENDA ITEM 10A

MEMO

DATE:

July 22, 2014

SUBJECT:

Planning Matters: Re-Appoint Planning Board Members

Discussion:

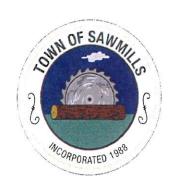
The term of appointment for the following four (4) Planning Board Members will expire on August 1, 2014:

- Chairman Steve Duncan
- Vice-Chairman Buford Pennell
- David Powell
- Thad Hall

Town Clerk Julie Good has contacted the four (4) members and all are willing to serve another term.

Recommendation:

Staff recommends Council re-appoint the four (4) members to the Planning Board.



MAYOR **Bob Gibbs**

TOWN ADMINISTRATOR

Seth Eckard

TOWN PLANNER

Elinor Hiltz

PLANNING **BOARD**

Steve Duncan, Chairman **Buford Pennell** David Powell Thad Hall Clyde Miller

COUNCIL MEETING July 22, 2014 6:00 PM

Agenda Item #10B

PLANNER'S STAFF REPORT

REZONING: 4741 & 4737 Hickory Nut Ridge Rd

Status: On July 1 the Planning Board unanimously recommended approval of this rezoning.

Size of Area to be Rezoned: 10 acres

Current Zone and Permitted Uses: R-20

Permitted Uses: residential accessory structures, churches, single-family dwellings, family care homes, home occupations, horses, riding stables

Conditional Uses: accessory dwellings, cemeteries, country clubs, fire stations, lakes and parks, recreational and community centers, commercial recreational facilities, elementary and high schools

Requested Zone and Permitted Uses: RA-20

the same as the R-20 district but airports*, duplexes, greenhouses*, home occupations in outbuildings*, horticultural nurseries*, mobile homes, temporary mobile homes*, produce stands*, and public service facilities are allowed.

Fire stations, recreational and community centers, and commercial recreational facilities are not allowed.

*with conditional use permit

Description of Surrounding Area:

Subject property has one mobile home and one stick-built house. There is a stick-built house directly across the street and it is the only other house in sight. Most of the land in sight is wooded and hilly. Sight distances are not far.

Applicant's Immediate Plans for Property:

Applicant wants to cut two more lots out of the 10 acres and put a mobile home on each new lot for her children and grandchildren.

Applicable Sections of Ordinance:

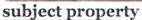
The subdivision will follow the "family subdivision" section of the ordinance and the plat will likely come to Council for review on September 16th.

Consistency with Comprehensive Plan:

The Comprehensive Plan plans for this area to remain residential. The differences between an R-20 and an RA-20 district are slight and an RA-20 district is right across the street. This proposal would not be inconsistent with the Comprehensive Plan.

Action Needed: CALL FOR PUBLIC HEARING on August 19th, 2014.







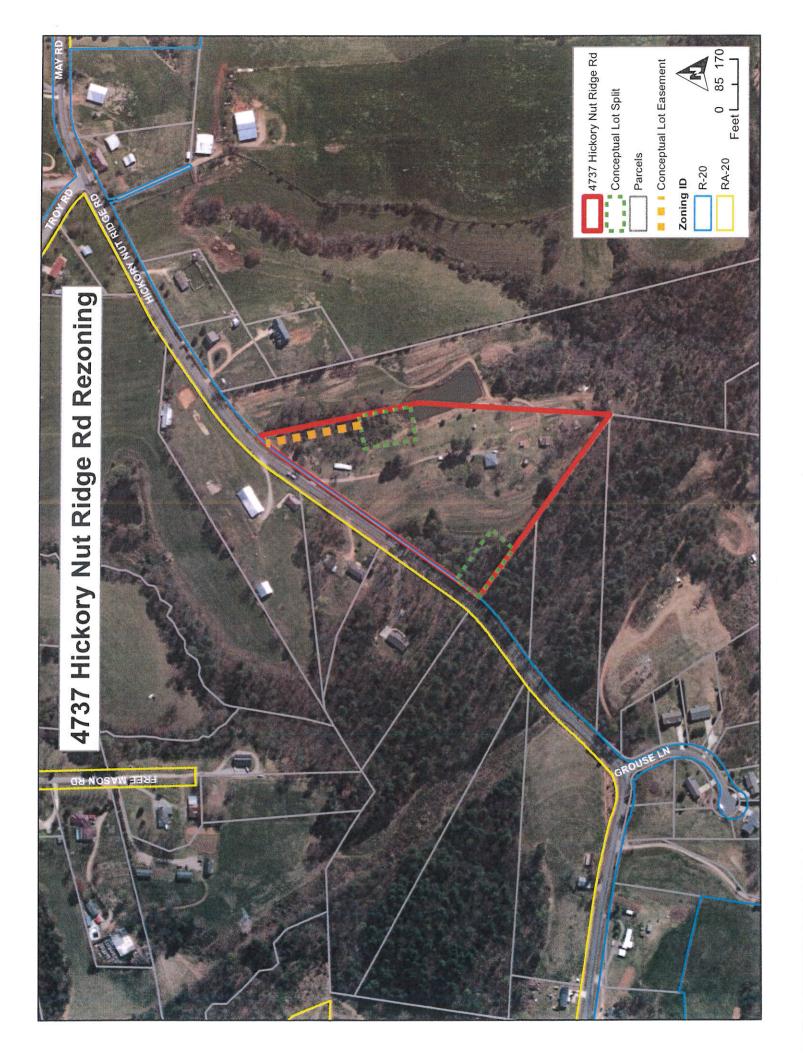
across street



entrance to conceptual lot 1



conceptual lot 2





MAYOR Bob Gibbs

TOWN ADMINISTRATOR Seth Eckard

TOWN PLANNER
Elinor Hiltz

PLANNING BOARD

Steve Duncan, Chairman
Buford Pennell
David Powell
Thad Hall
Clyde Miller

COUNCIL MEETING July 22, 2014 6:00 PM

Agenda Item #10C

PLANNER'S STAFF REPORT

ALLOW CHURCHES IN EVERY DISTRICT PROPOSAL

Status: This item will go to the Planning Board on August 5th. At the last Planning Board meeting Crossroads Community Church's realtor requested to move the "Call For Public Hearing" before the Planning Board hearing to allow Crossroads Community Church to possibly close on the Best Builders Building in August. The Planning Board gave their consent.

Proposal: Crossroads Community Church brought the issue to the Town's attention because they wanted to buy the former Best Builders Building on Highway 321 which is zoned HB. Under Sawmills current code, churches are not allowed in the commercial districts-only the residential districts. The town wanted to change the zoning code to allow churches in every district because churches can fit in a variety of building types in a variety of areas. Churches have been known to occupy large commercial buildings, spaces in strip malls, free-standing buildings in commercial or mixed-use districts as well as free-standing buildings in residential or rural places.

Consistency with Comprehensive Plan:

Highway 321-the Highway Business District-should be a focus for economic development. Residential property within the area should transition to commercial use. A church can be considered a commercial use.

In the Highway 321 corridor, parking lots should have access roads that link to one another so that people don't have to reenter the highway to go from one furniture store to another for example. We cannot require this applicant to stub-out to an adjacent property because the ordinance doesn't require it, but later (like 2 years from now or more if we get slow) we can-amend the ordinance to create a process called "conditional rezoning" where you can require rezoning applicants to do "conditions" like parking lot stub outs.

This proposal is not inconsistent with the Comprehensive Plan.

Action Needed:

CALL FOR PUBLIC HEARING on August 19th, 2014.

PROPOSED TEXT AMENDMENT

Additions in highlight

§153.051 Table of Permitted Uses

Use	R-20	RA-20	R-15	O-I	N-B	Н-В	G-M	SR
Automobile parking lot and structure	-	-	-	-	Р	Р	Р	
Automobile parts and supplies	-	-	-	-	-	Р	P	
Automobile repair garage, without open storage of wrecked vehicles	-	-	-	-	-	P	P	
Automobile sales	-	-	-	-	=	P	P	
Automobile washing establishments	-	-	-	-	P	Р	P	
Bakery	_	_	-	-	-	Р	P	
Banks, with drive thru	-	-	-	С	P	P	P	
Banks, without drive thru	-	-	-	P	P	P	P	
Barbershop and beauty shops	-	.=	-	=	P	P	P	
Bedding manufacturing	-	-	-	-	-	-	P	
Boarding house	-	-	С	-	Р	Р	P	
Boat sales	-	-	-	-	-	P	P	
Bookstore	-	-	-	-	P	Р	P	
Bowling alleys	-	-	-	-	-	С	-	
Building supply and equipment sales	-	-	-	-	-	P	P	
Bus Station	- 1	-	-	-	P	P	P	
Business, professional, government, religious, charitable or fraternal offices or agencies	-	-	-	P	Р	P	-	
Camera supply store	-	-	=	-	P	P	P	
Candy store	-	-		-	P	P	P	
Carpet manufacturing	-	-	-	-		_	P	
Cemeteries	С	С	С	-	r.			
Churches and other places of worship	P	P	P	P	P	P	P	
Clothing manufacturing	-	-	-	-	-	-	P	
clothing store	-	-:	-	-	P	P	P	
Coliseum	-	-	5 =	-	-	Р	P	
Concrete or paving materials mixing plant	-	-	-	-	-	84	Р	

AGENDA ITEM 12A

MEMO

DATE:

July 22, 2014

SUBJECT:

Updates: Community Development Block Grant Monthly Status Report

Discussion:

The attached report shows that all requirements for the Community Development Block Grant on behalf of The Haystation, LLC are on schedule.

Recommendation:

No Council action required.

Monthly Performance Status Report

(Due on 15th of each month)

12-C-2443 Month: July Year: 2014	ance Status Remedy to get back on Schedule dule) (If Off Schedule)									Title CD Director, WPCOG	Title Town Administrator (City/County Manager or Clerk)	
Town of Sawmills Grant Number:	Current Performance Status (If Off Schedule)									D. Tit	Shur Ti	
	Schedule (On/Off)	On	On	On						Sherry Long	th Eckard	
Grantee Name: _	Activity	Machinery & Equipment	Planning & Entrepreneurial Activities	Administration						Prepared By: She	Endorsed By: Seth Eckard	

(Based on Performance Based Contract) Performance Schedule On/Off Schedule

- On Performance Schedule: Stop and submit report, no current performance status or remedy to get back on schedule is required
 Off Performance Schedule: Provide current performance status and remedy to get back on schedule and submit report

AGENDA ITEM 12B

MEMO

DATE:

July 22, 2014

SUBJECT:

Updates: Community Development Block Grant Sewer Project Monthly Update

Discussion:

Lisa Helton, Project Administrator, from the Western Piedmont Council of Governments (WPCOG), sent the attached update for the Community Development Block Grant (CDBG) Duff Drive area sewer project.

Recommendation:

No Council action required.

Monthly Performance Status Report

(Due on 15th of each month)

JulyYear:2014	Remedy to get back on Schedule (If Off Schedule)								
of Sawmills Grant Number: 12-C-2506_ Month:_July	Current Performance Status (If Off Schedule)								
Grantee Name:Town of Sawmills_	Performance Schedule (On/Off)	ON							
Grantee	Activity	Public Sewer							

Board or Council Update: Memo to the Board Endorsed By: Seth Eckard Prepared By: LisaHelton

Title Program Administrator Town Administrator

(City/County Manager or Clerk)

7-10-14 Date

(Based on Performance Based Contract) Performance Schedule On/Off Schedule

• On Performance Schedule: Stop and submit report, no current performance status or remedy to get back on schedule is required • Off Performance Schedule: Pervide marginal marginal contracts of the performance of the perfo

Off Performance Schedule: Provide current performance status and remedy to get back on schedule and submit report

AGENDA ITEM 12C

MEMO

DATE:

July 22, 2014

SUBJECT:

Updates: Code Enforcement Monthly Report

Discussion:

The attached report shows the progress that Planner Elinor Hiltz continues to make throughout the town.

Recommendation:

No Council action required.

last updated July 10, 2014: Elinor Hiltz

Code Enforcement Report July, 2014

Property Owner	Property Address	<u>Issue</u>	<u>Status</u>
STAT Inc	3046 Eli Lane	Person living in shed	A few building materials remain on property. His deadline to remove them was June 30 so planner needs to call him again.
Phyllis & Jimmy Chester	6098 Spartan Dr	Trash in front and back yard	July 24 deadline. Will present quote for abatement to Council in August. If Council wants to abate, owner will receive a 15 day warning letter. If they do not respond, town will hire contractor to abate the nuisance, then owner will receive a 30-day warning that the town is about to place a lien on the property.
Ralph Flannagan	4417 Nathan's Way	Buildings falling in	July 24 deadline. Will present quote for abatement to Council in August. If Council wants to abate, owner will receive a 15 day warning letter. If they do not respond, town will hire contractor to abate the nuisance, then owner will receive a 30-day warning that the town is about to place a lien on the property.
Ajay Patel	3049 Eli Ln	building falling down, roof blowing off	July 24 deadline. Will present quote for abatement to Council in August. If Council wants to abate, owner will receive a 15 day warning letter. If they do not respond, town will hire contractor to abate the nuisance, then owner will receive a 30-day warning that the town is about to place a lien on the property.
Ann Newton	4438 Jess Dr	High grass	lien on property
Robin Deaton	4689 Greenwood T High grass	· High grass	upon inspection on May 22 grass was already mowed
Hendrix Lawn Care	1497 Cajah Mtn Rd Littering	Littering	not supposed to dump landscaping stuff there. Owners will rezone when they are ready to
Charles Hagaman, Katrina Sharpe	2161 White Pine. Dr	High grass	owners mowed
Mark Stinson, William Walker Jr	4237 Benfield Dr	High grass	owners mowed
Ajay Patel	3049 Eli Ln	High grass	owner mowed
Jack & Kim Blankenship	1641 Lafayette Ave	High grass	bank mowed